THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

-

WRIT PETITION NO : 24336 of 1996

-

DATED: 31-01-2006

Shaik Abdul Lateef.

..... PETITIONER

AND

The Mandal Revenue Officer
Cuddapah & 2 others.

.....RESPONDENTS

ORDER:

Petitioner, who was assigned Ac.5.21 cents of land in S.No.391/2 of Chinnachowk village of Kadapa Mandal and District, was served with a show cause notice, dated 07-01-1990, calling upon him to show cause as to why the assignment in his favour should not be cancelled as he had violated condition No.1 of the patta by converting the said land into house sites, without cultivating the same. Petitioner sent a reply to the show cause notice. Thereafter petitioner filed this petition alleging that though no final orders of cancellation of his patta were passed, respondents are trying to interfere with his possession, to quash the show cause notice served on him.

2. Though the case is of the year, 1996 no counter affidavit is filed by any of the respondents till today and there is no representation on behalf of the respondents. Therefore it is not known if final orders are passed on the show cause notice issued to the petitioner after he sent a reply.

3. Heard the learned counsel for the petitioner.

4. Ordinarily this Court would not interfere with a show cause notice, if it is within the power of the notice issuing authority, because the noticee's rights in fact are not effected by the show cause notice and since final order passed, if it is adverse to the noticee can be called in question in appropriate forum or this Court depending on the fact situation. Therefore this petition is disposed of with a direction to the 1st respondent to pass final orders on the show cause notice issued to the petitioner, after taking into consideration his explanation, and by affording an opportunity of being heard to him. No order as to costs.

_____

(C.Y.SOMAYAJULU,J)

31st January, 2006

Tsy